

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**DREW V. LOUNSBURY, Individually and On Behalf
of All Others Similarly Situated,**

Plaintiff,
v.

**THE BEAR STEARNS COMPANIES INC.,
JAMES E. CAYNE, ALAN C. GREENBERG, ALAN
D. SCHWARTZ, PAUL A. NOVELLY, FRANK T.
NICKELL, FREDERIC V. SALERNO, VINCENT
TESE and JOHN DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO.08- CV-
3326(RWS)**
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) **CLASS ACTION**
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**AARON HOWARD, Individually and On Behalf of All
Others Similarly Situated,**

Plaintiff,
v.

**THE BEAR STEARNS COMPANIES INC., THE
BEAR STEARNS COMPANIES INC. EXECUTIVE
COMMITTEE, JAMES E. CAYNE, ALAN D.
SCHWARTZ, WARREN J. SPECTOR, SAMUEL L.
MOLINARO, JR., ALAN C. GREENBERG and JOHN
DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 2804
(VM)**
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) **CLASS ACTION**
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**ESTELLE WEBER, Individually and on behalf of Bear
Stearns Companies Inc. Employee Stock Ownership
Plan, and all Others Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC.,
CUSTODIAL TRUST COMPANY, JAMES E.
CAYNE, ALAN D. SCHWARTZ, WARREN
SPECTOR, SAMUEL L. MOLINARO, JR., ALAN C.
GREENBERG and JOHN DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 2870**
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) **CLASS ACTION**
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**ANTHONY PISANO, individually and on behalf of all
Others Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC., JAMES
CAYNE, ALAN D. SCHWARTZ, WARREN
SPECTOR, SAMUEL L. MOLINARO, JR., ALAN C.
GREENBERG and JOHN DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 3006**
) **(UA)**
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) **CLASS ACTION**
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**HANS MENOS, individually and on behalf of all Others
Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC., JAMES
CAYNE, ALAN D. SCHWARTZ, WARREN J.
SPECTOR, SAMUEL L. MOLINARO, JR., ALAN C.
GREENBERG and JOHN DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 3035**
) **(UA)**
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) **CLASS ACTION**
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**IRA GERWITZ, individually and on behalf of all
Others Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC., JAMES
CAYNE, ALAN D. SCHWARTZ, WARREN
SPECTOR, SAMUEL L. MOLINARO, JR., ALAN C.
GREENBERG and JOHN DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 3089**
) **(UA)**
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) **CLASS ACTION**
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**SHELDEN GREENBERG, individually and on behalf
of all Others Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC., JAMES
CAYNE, ALAN C. GREENBERG, JEFFREY
MAYER, SAMUEL L. MOLINARO, JR., ALAN D.
SCHWARTZ, WARREN J. SPECTOR, and JOHN and
JANE DOES 1-10**

Defendants.

**SCOTT WETTERSTEIN, individually and on behalf of
all Others Similarly Situated,**

Plaintiff,

v.

**THE BEAR STEARNS COMPANIES INC., JAMES
CAYNE, ALAN D. SCHWARTZ, WARREN J.
SPECTOR, SAMUEL L. MOLINARO, JR., ALAN
GREENBERG, and JOHN AND JANE DOES 1-10,**

Defendants.

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) **CIVIL ACTION NO. 08-Civ. 03334**
) **(UA)**
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) **CLASS ACTION**
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) **CIVIL ACTION NO. 08-Civ. 03351**
) **(UA)**
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) **CLASS ACTION**
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**NOTICE OF MOTION AND MOTION BY PLAINTIFF DREW V. LOUNSBURY
FOR CONSOLIDATION OF ALL RELATED ERISA ACTIONS AND
APPOINTMENT OF A LEAD PLAINTIFF AND INTERIM CLASS COUNSEL**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on February 23, 2008 at 12:00 p.m., or as soon thereafter as the matter may be heard, in Courtroom 18C of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, Drew V. Lounsbury, plaintiff in *Lounsbury v. The Bear Stearns Companies Inc.*, Civil Action No. 08-CV-3326 (RWS)

(“Lounsbury” or “Movant”), will move this Court for an order:

- (i) consolidating all related ERISA actions pending in or hereinafter filed in this district against The Bear Stearns Companies Inc. ;
- (ii) appointing Drew V. Lounsbury as interim lead plaintiff on behalf of a proposed class of participants and beneficiaries of The Bear Stearns Companies Inc. Employee Stock Ownership Plan; and
- (iii) appointing his counsel, Stull, Stull & Brody, as interim class counsel for the proposed class in the consolidated action.

This Motion is made pursuant to Fed. R. Civ. P. 23(g) and 42(a) and the Manual for Complex Litigation-Fourth (2005). This Motion is based on the accompanying Memorandum of Points and Authorities in Support thereof and the Declaration of Edwin J. Mills filed herewith.

Dated: April 10, 2008

STULL, STULL & BRODY

By: s/ Edwin J. Mills
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